

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**STEPHEN MITCHELL** : **CIVIL ACTION**  
:  
**v.** : **NO. 13-1972**  
:  
**JON D. FISHER, et al** :

**ORDER**

**AND NOW**, this 9th day of July, 2013, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus (Document No. 4), the Report and Recommendation filed by United States Magistrate Judge M. Faith Angell (Document No. 5), and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Angell is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **STAYED** and held in **ABEYANCE** until the conclusion of the petitioner's state court proceedings;
3. Within 30 days following the conclusion of the state court proceedings, the petitioner shall return to this court or his petition will be dismissed without prejudice; and
4. The Clerk is directed to **CLOSE** this action administratively.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.